

SENATE BILL REPORT

SB 5286

As of February 2, 2007

Title: An act relating to state financial assistance programs contributing to Puget Sound water quality cleanup.

Brief Description: Concerning funding projects for Puget Sound water quality cleanup.

Sponsors: Senators Rockefeller, Pridemore, Murray, Regala, Hobbs, Kilmer and Kohl-Welles.

Brief History:

Committee Activity: Water, Energy & Telecommunications: 2/02/07.

SENATE COMMITTEE ON WATER, ENERGY & TELECOMMUNICATIONS

Staff: Sam Thompson (786-7413)

Background: The Puget Sound Action Team (PSAT), with assistance from the Puget Sound Regional Council, currently submits a recommended Puget Sound biennial work plan and recommended funding levels to the Office of Financial Management for consideration in developing the Governor's recommended biennial budget.

Legislation creating a new Puget Sound governance entity, the Puget Sound Partnership (PSP), has been introduced as SB 5372 and HB 1374. Under the proposed legislation, the PSP (which will replace PSAT) will be led by a seven-member Leadership Council that will establish and implement a Puget Sound management plan known as the Action Agenda. The Action Agenda will set goals, outcomes, and benchmarks to reach a healthy Puget Sound by 2020. The Council must adopt the initial Action Agenda by September 1, 2008.

Summary of Bill: Procedures are established for including the Puget Sound Partnership's Leadership Council (Council) created in SB 5372 and HB 1374 in decisions regarding funding of projects impacting the Partnership's Action Agenda (Agenda) for protecting and restoring Puget Sound.

Water Pollution Control Facilities: The Department of Ecology (DOE) will forward all Puget Sound applications for state funding and federal grant funding meeting eligibility requirements to the Council. The Council will, collaborating with DOE, evaluate and rank applications for their contribution toward implementing the Agenda. The Council will hold at least one public meeting to solicit comment. The Council's evaluation must include funding level recommendations and assess contributions toward implementing Agenda elements. The Council must provide DOE with its analysis in a timely manner. Where DOE does not adopt a

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Council recommendation, DOE must provide the Council with an explanation when DOE makes funding award decisions.

Other Programs: The Council will review other state funding programs that may contribute to implementing the Agenda, including:

- the Water Quality Account;
- the Water Pollution Control Revolving Fund (commonly known as the "State Revolving Fund (SRF)");
- the Public Works Assistance Account (commonly known as the "Public Works Trust Fund");
- the Aquatic Lands Enhancement Account;
- the State Toxics Control Account and Local Toxics Control Account and clean-up program (commonly known as the "Model Toxics Control Account (MTCA) funds");
- the acquisition of habitat conservation and outdoor recreation land (commonly known as the "Washington Wildlife Recreation Program");
- the Salmon Recovery Funding Board;
- other state financial assistance to water quality-related projects and activities; and
- federal water quality financial assistance administered through state programs or provided directly to local governments in the Puget Sound basin.

The Council's review will include but not be limited to evaluating:

- funding of projects and activities that contribute to implementing the Agenda;
- procedures and criteria for determining funding, and the relationship to Agenda goals and priorities;
- methods for ensuring that Agenda goals and priorities are strongly considered when funding decisions are made regarding water quality and habitat-related projects and activities;
- ways to incorporate strategic Agenda funding within established performance measures in administering natural resource and environmentally based grant and loan programs;
- ways through funding allocations to reflect geographic cleanup emphasis in the Agenda;
- forms of assistance provided and which forms are more appropriate in implementing the Agenda;
- whether ineligible private or quasi-public entities should be eligible to seek funding, and conditions protecting accountability and transparency in use of public funds;
- whether additional types of projects or activities should be eligible for funding where they are consistent with program purposes and will also implement the Agenda;
- whether state policies for disposing of, acquiring, or developing state lands are compatible with the Agenda; and
- the rigor of assumptions and estimations of project benefits, including contributions toward implementing the Agenda.

State entities administering the programs must provide the Council with information required in its review. The Council must provide draft recommendations to administering entities and consider their comments prior to finalizing its review and recommendations.

The Council must provide a preliminary review and recommendations to the Governor and Legislature by November 1, 2008, and a final summary, recommendations, and implementing legislation to the Governor and Legislature by November 1, 2009.

Appropriation: None.

Fiscal Note: Requested on January 18, 2007.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.